

Re : Amendment and Response to Office Action Mailed March 2, 2006
Appl. No. : 10/696,952
Filed : October 30, 2003

II. REMARKS

Claims 1-20 are currently pending in the application. The Office Action allowed Claims 1-11 and rejected Claims 12-20. By the foregoing amendments, Applicants amended Claims 12 and 17 to further clarify, more clearly define, broaden the claimed invention and/or expedite receiving a notice of allowance. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments. Applicants believe that Claims 1-20 are in condition for immediate allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' discussion and understanding of the references, if any, is consistent with the Examiner's. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

Response to the Section 102(b) Rejection

The Office Action rejected Claims 17, 18 and 20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,058,853 issued to Pinch. The Office Action stated the Pinch patent (Figs. 4, 8, 9 and 10) teaches a structure as claimed including a table comprising a table top constructed from plastic, the table top including a top portion, a bottom portion and a length, an outwardly extending portion that extends outwardly from the bottom portion of the table top, the

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outwardly extending portion extending along the length of the table top, the outwardly extending portion extending along the length of the table top, the outwardly extending portion including a first side wall, a second side wall and an intermediate portion extending between the first side wall and the second side wall, a connector (156) secured to the outwardly extending portion of the table top, the connector being spaced apart from the bottom portion of the table top, the connector comprising a first portion that is sized and configured to abut the intermediate portion of the outwardly extending portion, and a second portion that is sized and configured to abut the first side wall of the outwardly extending portion, a first and second table leg (52) pivotally attached to the connector.

Applicants respectfully traverse this rejection at least because the Pinch patent fails to disclose each and every limitation of Claims 17, 18 and 20. Nevertheless, as mentioned above, to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance, Applicants amended Claim 17.

For example, Applicants amended Claim 17 to provide the connector comprises “a second portion that is sized and configured to abut the first side wall of the outwardly extending portion, the second portion having a height that is less than a height of the first side wall of the outwardly extending portion.” Thus, Claim 17 now positively recites the second portion of the connector is sized and configured to abut the first side wall of the outwardly extending portion and **the second portion has a height that is less than a height of the first side wall of the outwardly extending portion.**

In contrast, the Pinch patent does **not** disclose a connector with a second portion that is sized and configured to abut the first side wall of the outwardly extending portion, the second portion

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having a height that is less than a height of the first side wall of the outwardly extending portion.

Accordingly, Claim 17 is allowable over the cited references and Applicants request that this Section 102(b) rejection be withdrawn. In addition, Claims 18 and 20 should now be allowable at least because these claims are dependent on amended Claim 17. Thus, Claims 17, 18 and 20 are in condition for immediate allowance.

Response to the Section 103(a) Rejection

The Office Action rejected Claim 12-15, 16 and 19 under 35 U.S.C. § 103(a) as being unpatentable over the Pinch patent. The Office Action states the Pinch patent teaches structure substantially as claimed as discussed above including a connector (156). The Office Action alleges the only difference being the length of the connector and the connection of the connector to various structural elements. The Office Action, however, contends to provide the connector along the entire length of the table and the connection of the connector at various side of the outwardly portion of the table are matters of desirability of how much rigidity and connection is desired which would have been obvious and well within the level of ordinary skill in the art.

Applicants respectfully traverse this rejection because the cited reference fails to teach, suggest or disclose each and every limitation of Claims 12-15, 16 and 19. Nevertheless, as mentioned above, to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance, Applicants amended Claim 12.

For example, Applicants amended Claim 12 to provide a connector comprising “a second portion that is sized and configured to abut the first side wall of the outwardly extending portion, the

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second portion having a height that is less than a height of the first side wall of the outwardly extending portion so that the second portion of the connector is spaced apart from the bottom portion of the table top.” Thus, Claim 12 now positively recites the second portion of the connector is sized and configured to abut the first side wall of the outwardly extending portion and **the second portion has a height that is less than a height of the first side wall of the outwardly extending portion so that the second portion of the connector is spaced apart from the bottom portion of the table top.**

In contrast, the Pinch patent does **not** disclose a connector with a second portion that is sized and configured to abut a first side wall of an outwardly extending portion, the second portion having a height that is less than a height of the first side wall of the outwardly extending portion so that the second portion of the connector is spaced apart from the bottom portion of the table top.

Accordingly, Claim 12 is allowable over the cited references. In addition, Claims 13-15, 16 and 19 are allowable at least because these claims are dependent upon amended Claims 12 and 17, respectively. Consequently, Applicants respectfully request that this Section 103(a) rejection of Claims 12-15, 16 and 19 be withdrawn.

Allowed Claims

The Office Action stated that Claims 1-11 are allowable over the prior art of record. Applicants respectfully thank Examiner Chen for his careful and thoughtful review of the application.

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CONCLUSION

In view of the foregoing, Applicants submit that Claims 1-20 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants request that a Notice of Allowance be promptly issued.

If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: June 29, 2006

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